

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES M. ROBERTSON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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Civil No. 15-10432-LTS

ORDER

March 31, 2016

SOROKIN, J.

Defendant the United States has moved to dismiss this case, asserting that Plaintiff James M. Robertson (“Mr. Robertson”) has not yet—as he must before coming to this Court—exhausted his administrative remedies by filing a request with the Army Board for the Correction of Military Records (“Army Board”) to adjust his service records to reflect his correct entry and exit dates. Doc. No. 17. The Court GRANTS Mr. Robertson until **April 30, 2016** to supplement his papers before the Court with evidence of a filing with, and decision by, the Army Board. If Mr. Robertson fails to make this filing, then the Court will dismiss this action for failure to exhaust administrative remedies. See Navas v. Gonzalez Vales, 752 F.2d 765, 769 (1st Cir. 1985). Nothing in such a dismissal prevents Mr. Robertson from proceeding before the Army Board and, if unhappy with the Army Board’s decision, then filing for review of that decision in this Court.

The Clerk shall mail this Order to Mr. Robertson.

SO ORDERED.

/s/ Leo T. Sorokin
Leo T. Sorokin
United States District Judge